

**AMENDED AGENDA AND PROPOSED ORDERS  
GORHAM TOWN COUNCIL  
REGULAR MEETING  
October 6, 2020  
6:30pm  
On-line Zoom Meeting**

The Town of Gorham invites you to view our upcoming Regular Town Council Meeting on October 6, 2020, starting at 6:30PM. This meeting will be held remotely, hosted as a Zoom Webinar and streamed over GoCAT and Facebook Live for anyone who wishes to view. Staff strongly recommends those who would like to make public comment regarding agenda items to email written comments by 4pm on Tuesday, October 6, 2020 to the following email address: TC\_Mtg\_Public\_Comment@gorham.me.us.

To join the meeting, follow this link on your computer or mobile device:

[https://us02web.zoom.us/webinar/register/WN\\_62EJMjaYSKW1BkyTz9I35A](https://us02web.zoom.us/webinar/register/WN_62EJMjaYSKW1BkyTz9I35A), or join by phone by calling 1-929-205-6099 and entering Webinar ID: 851 3410 3847. To make a public comment during the meeting, we ask that you raise your hand using the button in Zoom, or for those joining by phone, you may type \*9.

Please be advised that any comments made during the meeting on Facebook Live or GoCAT will not be reviewed and are not considered public comment for purposes of the public record.

Pledge of Allegiance to the Flag

Roll Call

Acceptance of the minutes of the September 1, 2020 Regular Town Council Meeting.

Open Public Communications

Councilor Communications

Town Manager Report

School Committee Report

**Public hearing #1**

Public hearing to hear comments on a bond referendum question for the November 3, 2020 election for the Town of Gorham to borrow and expend up to \$5,689,000 for the following capital projects on various public schools in the Town.

1. GMS HVAC Heat Pump Upgrade and Repairs - \$2,265,000.00
2. Narragansett Expansion Project Phase II - \$1,423,000.00
3. Narragansett Bus Loop and Sidewalk Upgrades and Repairs - \$351,000.00
4. Middle School Sidewalk Repair - \$300,000.00
5. Field Lighting Safety Repairs for competition field, baseball, softball and tennis fields - \$1,275,000.00
6. Necessary Civil Engineering Costs - \$75,000.00

**Public hearing #2**

Public hearing to hear comments on a referendum question for November 3, 2020, to amend Section 202 of the Town's Charter to clarify the qualifications of office for a Town Council member as follows:

**Sec. 202. Qualifications.** ~~Councilmen~~ Council members shall be qualified electors of the Town and shall reside in the Town during their term of office. ~~They~~ A Council member shall hold no other paid office or position of employment with the Town or the Department of Education (Gorham School District) during the term for which the Council member was elected to the Council of emolument or profit under the Town Charter or Ordinances. If a ~~Councilman~~ Council member shall cease to possess any of these qualifications or shall be convicted of a crime involving moral turpitude, his/her office shall immediately become vacant.

**Public hearing #3**  
**On item #2020-10-01**

Public hearing to hear comment on issuing a renewal liquor license to M and G X-Mac II, LLC, DBA Ocean Gardens Restaurant and Tavern.  
(Admin. Spon.)

**Proposed**  
**Order #20-106**

Ordered, that the Town Council issue a renew liquor license to M and G X-Mac II, LLC, DBA Ocean Gardens Restaurant and Tavern, 390 Main Street.

**Public hearing #4**  
**On item #2020-10-02**

Public hearing to hear comment on renewal applications for Automobile Graveyards/Junkyard Permits for 2021. (Admin. Spon.)

**Proposed**  
**Order #20-107**

Ordered, that the Town Council approve renewal applications for the following Automobile Graveyard/ Junkyard Permits for 2020;

STEVE LUCE	LKQ CORP/GORHAM AUTO	192 NARRAGANSETT STREET
JIM STONE	CASCO FEDERAL CREDIT UNION	375 MAIN STREET
GARY NELSON	CHET'S AUTO SALES	475 OSSIPEE TRAIL
GORDON REICHERT	REICHERT'S AUTO BODY	112 SHAWS MILL ROAD
SHAWN MOODY	MOODYS/INSURANCE AUTO AUCTION	200 NARRAGASSETT STREET

**Public hearing #5**  
**On item #2020-10-03**

Public Hearing to hear comment on a proposal to amend the Town's General Assistance Ordinance by updating the maximum levels of assistance as required by the State. (Admin. Spon.)

**Proposed**  
**Order #20-108**

Whereas, the Town has an ordinance regulating General Assistance, and Whereas, the State annually provides an update maximum level of assistance that must be adopted,

Now Therefore Be It Ordered by the Town Council, that the Town's General Assistance Ordinance is amended to incorporate the updated maximum levels of assistance as required by the State.

**Public hearing #6**  
**On item #2020-10-04**

Public hearing to hear comment on a proposal to amend Gorham's Marijuana Cultivation or Manufacturing Facility Licensing Ordinance to remove the State of Maine's residency requirement. (Admin. Spon.)

**Proposed**  
**Order #20-109**

Ordered, that the Town Council amend Gorham's Marijuana Cultivation Manufacturing Facility Licensing Ordinance as follows:

Section 9 – Application Procedure

D. Application to establish a Marijuana Cultivation or Manufacturing Facility

2. The completed application for a Marijuana Cultivation or Manufacturing Facility license shall contain the following information and shall be accompanied by the following documents:

1. The applicant's mailing address ~~and residential address.~~

~~4. All applicants, including all individuals, officers, directors, managers, members, and partners, for any Marijuana Cultivation or Manufacturing Facility license must be residents of the State, as defined in 28 B.M.R.S. A. §102, and a majority of shares, partnership interests, and membership interests, or other equity interests in corporate applicants must be held or owned by persons who are residents.~~

~~5. If an applicant is a person, the applicant must be a resident as that term is defined in the application. If the applicant is a corporation, partnership, or limited liability company, every officer, director, and managing partner must be a person who is a resident, and a majority of shares, partnership interests, and membership interests, or other equity interests must be held or owned by persons who are residents.~~

\*Note - Deletions ~~Struck Through~~

**OLD BUSINESS**

**Item #9507** Action to consider selecting a vendor for solar facility services at 80 Huston Road closed landfill. (Admin. Spon.)

**Proposed Order #20-110** Ordered, that the Town Council accepts the recommendation of Staff and selects Citizens Enterprises Corporation for a solar facility at the Town's closed landfill at 80 Huston Road; and  
Be it Further Ordered, that the Town Manager is authorized to enter into a lease agreement for a period not to exceed twenty year.

**NEW BUSINESS**

**Item #2020-10-05** Action to consider amending Article VI, Building Additions, in the Fire Suppression Ordinance. (Councilor Hartwell Spon.)

**Proposed Order #20-111** Ordered, that the Town Council instructs the Ordinance Committee to review Article VI, Building Additions, in the Fire Suppression Ordinance, and bring back recommendations to the Council for review and approval.

**Item #2020-10-06**

Action to consider amending the Land Use & Development Code, Chapter 2, Section 2-1, Subsection, H. Noise Abatement to allow for an exemption for well drilling. (Councilor Hartwell Spon.)

**Proposed  
Order #20-112**

Ordered, that the Town Council instructs the Ordinance Committee to review Chapter 2, Section 2-1, Subsection H, Noise Abatement, of the LUDC, to provide for an exemption for well drillers during a time of Severe Drought; and

Be It Further Ordered, that the Ordinance Committee forwards its recommendations back to the Council for review and approval.

**Item # 2020-10-07**

Action to consider instructing the Appointments Committee to reactivate the Gorham Board of Health. (Councilor Wilder Cross Spon.)

**Proposed  
Order #20-113**

Ordered, that the Town Council instruct the Appointments Committee to bring to the Town Council recommendations of appointment to fill vacancies on the Gorham Board of Health.

**Item #2020-10-08**

Action to consider instructing the Ordinance Committee to review adding a provision in the Land Use & Development Code to require surveyors to identify setbacks. (Councilor Philips Spon.)

**Proposed  
Order #20-114**

Ordered, that the Town Council instructs the Ordinance Committee to review provisions in the LUDC that would require surveyors to identify setbacks to ensure that structures are within the required setback zone defined in the code.

**Item # 2020-10-09** Action to consider designating 43 Mighty Street as a historic structure / site. (Councilor Philips Spon.)

**Proposed Order #20-115** Ordered, that the Town Council accepts the recommendation of the Historic Preservation Commission and designates 43 Mighty Street as a historic structure / site under the Town's Historic Preservation Ordinance.

**Item #2020-10-10** Action to consider authorizing a six month deferral program on any new Gorham Revolving Loan Fund approvals. (Councilor Pratt Spon.)

**Proposed Order #20-116** Ordered, that the Town Council authorizes deferring payments on new approved Revolving Loan Fund applications under the terms detailed by the Economic Development Director in his September 25, 2020 memo to the Town Council.

**Item #2020-10-11** Action to consider reviewing and accepting the recommendations of staff for funding ranking of pedestrian safety improvements & traffic calming measures in the Gorham Village area. (Councilor Philips Spon.)

**Proposed Order #20-117** Ordered, that the Town Council accept the ranking criteria of staff for Pedestrian safety improvements & traffic calming measures in the Gorham Village to be constructed as funding permits.

**Item #202-10-12** Action to consider abating the taxes on a mobile home. (Admin. Spon.)

**Proposed Order #20-118** Ordered, that the Town Council abate the taxes in the amount of \$5,555.94 on a mobile home that will be demolished, account #1059, 12 Tamarack Circle.

**ADJOURN**